

ABSTRACT

PUBLIC SERVICES – Prohibition & Excise Department – Allegation of corruption against Sri S. Jayaram Naik, Prohibition & Excise Inspector, Yemmiganur, Kurnool District – Prosecution accorded – Acquitted by the Hon'ble SPE & ACB Court, Hyderabad – Further action dropped in trap case – Accused Officer expired on 02.03.2011 – Further action abated in Departmental Proceedings - Treatment of the suspension period as 'on duty' - Orders – Issued.

REVENUE (VIG.V) DEPARTMENT

G.O. Rt. No. 794.

Dated:19.05.2012.

Read the following:-

- 1) DC P&E, Kurnool Procs.No.A1/401/2007, Dt.27.10.2007.
- 2) CPE, A.P., Hyderabad Procs.Cr.No.23/2007/CPE/SR.I, Dt.09.01.2009.
- 3) D.G., ACB Lr.202/RCT-KUR/2007, dt.16.04.2008.
- 4) G.O. Ms. No.1155, Revenue (Vig.V) Deptt., dt.01.10.2008.
- 5) Hon'ble Addl. Judge for SPE & ACB Cases, Hyderabad judgment, Dt.06.01.2011 in CrI.M.P. No.1355 of 2010 in CC No.38 of 2008.
- 6) G.O. Rt. No.799, Revenue (Vig.V) Deptt., dt.02.07.2011.
- 7) The CPE, AP, Hyderabad Lr.cr.No.23/2007/CPE/SR-I, dt.15.03.2012.
- 8) Smt. Radhamma, W/o. Late Sri Jayaram Naik, Application, dt.Nil.

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ORDER:

In the reference 1st read above, Sri S. Jayaram Naik, formerly Prohibition & Excise Inspector, Yemmiganur, Kurnool District was kept under suspension with effect from the date of his detention i.e., 10.10.2007 as his detention period exceeded more than forty eight hours in a case of allegation of demand and acceptance of bribe from Sri P. Krishna Mohan Reddy for doing official favour.

2) In the reference 2nd read above, the suspension of the Accused Officer was revoked and he was reinstated into service. He joined on 17.01.2009.

3) In the reference 3rd read above, the Director General, Anti Corruption Bureau, A.P., Hyderabad has submitted Final Report and recommended to accord sanction to prosecute of the Accused Officer in a court of law on the above allegation and for initiation of departmental action for violation of APCS (Conduct) Rules, 1964.

4) In the reference 4th read above, sanction was accorded to prosecute the Accused Officer in a court of law.

5) In the reference 5th read above, the Hon'ble Addl. Judge for SPE & ACB Cases, Hyderabad has held that the prosecution has utterly failed to prove the guilt of the Accused Officer hence acquitted him under section 248(1) of Cr.P.C. founding that he is not guilty for the offences punishable under section 7 and 13 (1) (d) read with Section 13 (2) of Prevention of Corruption Act, 1988.

6) In the reference 6th read above, orders were issued dropping further action against Sri S. Jayaram Naik, Prohibition & Excise Inspector.

7) In the reference 7th read above, the Commissioner of Prohibition & Excise, A.P., Hyderabad while reporting the circumstances of the case have requested the Government for issue of necessary orders for regularization of suspension period from 10.10.2007 to 16.01.2009 for settlement of pensionary benefits of the individual.

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8) In the reference 8th read above, Smt. Radhamma, wife of Late Sri S. Jayaram Naik has requested the Government to regularize the suspension period of her deceased husband from 10.10.2007 to 16.01.2009 as 'on duty' with all consequential benefits.

9) Government, after careful examination of the matter in detail, hereby regularize the suspension period of Late Sri S. Jayaram Naik, Prohibition & Excise Inspector (Expired), Kurnool District from 10.10.2007 to 16.01.2009 as "on duty" for all purposes and his family shall be paid the full pay and allowances for that period to which he would have been entitled had he not been suspended, subject to adjustment of subsistence allowance already paid to him under FR 54-B(2).

10) The Commissioner of Prohibition & Excise, A.P., Hyderabad / the Deputy Commissioner of Prohibition & Excise, Kurnool shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
Smt. Radhamma, W/o. Late Sri S. Jayaram Naik
(Through: the Commissioner of Prohibition & Excise, A.P., Hyderabad).
The Commissioner of Prohibition & Excise, A.P., Hyderabad.
The Deputy Commissioner of Prohibition & Excise, Kurnool District.
Copy to:
The Revenue (Excise-I) Department.
The District Treasury Officer, Kurnool District.
The Director of Treasuries & Accounts, A.P., Hyderabad.
The Accountant General, A.P., Hyderabad.
File/SF/SCs.

// FORWARDED :: BY ORDER //

SECTION OFFICER